

### **REMARKS**

With entry of the present amendment, claims 1-17 and 21 are pending. Claim 17 is amended. Claims 11-15 and 21 are indicated to be allowable.

Entry of this amendment and reconsideration of the claims, as amended and in view of the following remarks and accompanying Terminal Disclaimer, is requested.

Claim 17 is amended to correct the spelling of "amount" on the second line. No new matter is believed to be presented by the foregoing amendment.

### **Double Patenting Rejection**

Claims 1-10, 16 and 17 are once again provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10, 15, 18 and 19 of copending Application USSN 10/689,235 (CD 21269 US1). This rejection is provisional as USSN 10/689,235 has not yet issued, though a notice of allowance recently was issued. The double patenting rejection is the only remaining issue in the present application. In response to this rejection, applicants submit herewith a Terminal Disclaimer of the term of a patent issued from the captioned application to run concurrently with the term of a patent issuing from USSN 10/689,235. This rejection is thus overcome and claims 1-10, 16 and 17 are allowable.

### **CONCLUSION**

The foregoing amendment is fully responsive to the Final Office Action issued February 1, 2006. Applicants submit that claims 1-17 and 21, as amended and in view

of the Terminal Disclaimer submitted herewith, are allowable. Early and favorable consideration is earnestly solicited.

If the Examiner believes there are other issues that can be resolved by telephone interview, or that there are any informalities remaining in the application which may be corrected by Examiner's Amendment, a telephone call to the undersigned attorney is respectfully solicited.

Applicants believe that no fee is due with this communication. However, should the Patent Office determine that a fee is owed, or a credit is due to applicant, the Patent Office is hereby authorized to charge any required fees, including any extension of time and/or excess claim fees, or credit any overpayment, to applicant's Deposit Account 08-2525 as appropriate.

Respectfully submitted,



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